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JAMES DONINI
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

03 DEC 31 PM 1:56

WILLIAM KIRKLAND
1335 Compton Road #4
Cincinnati, Ohio 45231
Plaintiff,

Case No. C-1-02-364
Judge Weber
Magistrate Novotny

v.

CHARLIE LUKEN, et al.,
Defendants,

**PLAINTIFF'S MOTION FOR EXTENSION OF TIME
TO RESPOND TO SUMMARY JUDGMENT SHOW CAUSE ORDER**

KOJ

Judge _____
Mag. _____
Journal _____
Issue _____
Docketed _____

Now Comes the Plaintiff, William Kirkland, pro se, respectfully submitting to this honorable Court a Motion for Extension of Time of seven (14) days in which to file his response to this Court's summary Judgment Show Cause Order.

MEMORANDUM IN SUPPORT

Defendant Charlie Luken, et al. filed a motion for summary judgment. On November 11, 2002 the court issued an Order To Show Cause within fifteen days of the filing date of the Order to show cause why defendant's motion for summary judgment should not be granted. Plaintiff, William Kirkland did not receive the order until December 15, 2003. Plaintiff respectfully asks an additional fourteen days (14) up to and including Wednesday January 14, 2004 in which to respond to the show cause order.

Additionally Plaintiff ask the Court to unseal the criminal trial transcripts filed with Defendant's August 27, 2003 motion for summary judgment.

Plaintiff's response is under construction and nearly completed. Plaintiff needs the additional time to review the sealed criminal trial transcripts and fully brief the issue.

Plaintiff has filed an amended complaint in the instant matter. Plaintiff has not exhibited an intent to abandon this complaint. In fact plaintiff has filed a timely amended complaint. Accordingly there would be no prejudice to the defendant's.

Respectfully Submitted:

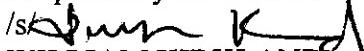
/s/

WILLIAM KIRKLAND
1335 Compton Road #4
Cincinnati, Ohio 45231
513.238.3651 (c)

Certificate of Service

I hereby certify that a copy of the forgoing Motion for Extension of Time was hand delivered or sent by regular U.S. mail to Attorney of record Thomas J. Harris, Esq. Or the City Solicitor of the city of Cincinnati or their representatives at 801 Plum Street, Cincinnati, Ohio 45202 this 31st day of December 2003.

Respectfully Submitted:

/s/

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